

ZB# 04-41

Joseph Antonacci

77-6-4

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12553
GRANTED 7-12-04

ZBA #04-41 J. ANTONACCIO (77-6-4)
AREA - 2721 COLONIAL DRIVE

Joseph Antonacci 567-3354

July 12, P.H.

**OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK**

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: March 29, 2004

**APPLICANT: Joseph Antonacci
2721 Colonial Drive
New Windsor, NY 12553**

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 3/23/04

FOR : proposed in-ground pool

LOCATED AT: 2721 Colonial Dr.

ZONE: R-3 Sec/Blk/ Lot: 77-6-4

DESCRIPTION OF EXISTING SITE: Existing one-family house

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

- 1. Proposed pool will not meet minimum 10' side and rear-yard set-back.**


BUILDING INSPECTOR

PERMITTED

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-3 USE: 48-21-G-1 Bulk Tables

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:	10'	5'	5'
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REQ'D TOTAL SIDE TD:

REQ'D REAR YD:	10'	5'	5'
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REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

04-41

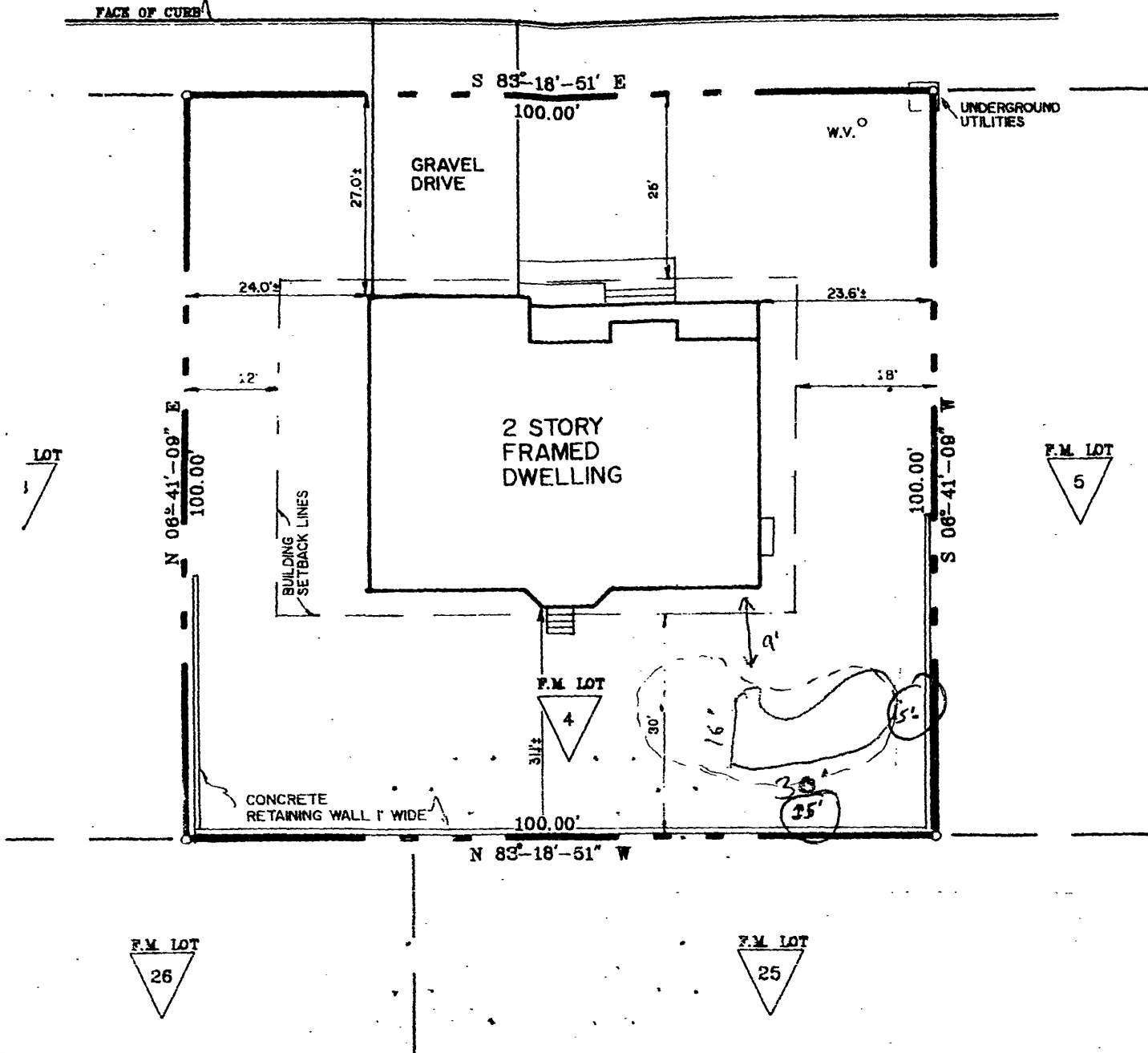
FACE OF CURB

COLONIAL DRIVE

(UNDER CONSTRUCTION)

COPY

FACE OF CURB



	100	100	21 100	20 100	19 100	18 100	17 100
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I (PRO.) Cherry Tree STREET

112.4 1 (1) 101	100 2 (2) 100	100 3 (3) 100	100 4 (4) 100	100 5 (5) 100	100 6 (6) 2 100	100 7 (7) 100	100 8 (8) 100
(27) 27 112.4	(26) 26 100	(25) 25 100	(24) 24 100	(23) 23 100	(22) 22 100	(21) 21 100	(20) 20 100

H (PRO.) Colonial Drive STREET

113.4 1 ● (1) 101.9	100 2 ● (2) 100	100 3 ● (3)	100 4 ● (4)	100 5 ● (5)	100 6 ● (6)	100 7 ● (7)	100 8 ● (8)	100 9 ● (9)
166.9 (28) 28 221.9	100 (27) ● 27 100	(26) ● 26 100	(25) ● 25 100	(24) ● 24 100	(23) ● 23 100	(22) ● 22 100	(21) ● 21 100	

G (PRO.) Liberty Ridge STREET

125.1 10 122.7	79.6 1 (1) 125.4	100 2 (2) 100	100 3 (3) 100	100 4 (4) 7 100	100 5 (5) 100	100 6 (6) 100	100 7 (7) 100
126.2 9 103.8	(18) 18 160.3	(17) 17 100	(16) 16 100	(15) 15 100	(14) 14 100	(13) 13 100	(12) 12 100

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

COPY

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

RECEIVED

MAR 23 2004

BUILDING DEPARTMENT

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

FOR OFFICE USE ONLY:
Building Permit #: 2004-384

AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises Mr & Mrs JOSEPH M ANTONACCI

Address 2721 COLONIAL DR New Windsor NY 12553 Phone # 845-567-3354

Mailing Address SAME Fax # _____

Name of Architect _____

Address _____ Phone _____

Name of Contractor _____

Address _____ Phone _____

State whether applicant is owner, lessee, agent, architect, engineer or builder OWNER

If applicant is a corporation, signature of duly authorized officer _____
(Name and title of corporate officer)

1. On what street is property located? On the South East side of Colonial DR
(N, S, E or W)
and 5-600' feet from the intersection of Colonial DR & Independence DR

2. Zone or use district in which premises are situated Residential Is property a flood zone? Y N X

3. Tax Map Description: Section 77 Block 6 Lot 4

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy Residential b. Intended use and occupancy _____

5. Nature of work (check if applicable) ☐ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☒ Other IN Ground Pool

6. Is this a corner lot? NO

7. Dimensions of entire new construction. Front 46' x 30' x 6' DEEP IN Ground Pool Rear _____ Depth _____ Height _____ No. of stories _____

8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____

Number of bedrooms 4 Baths 3 Toilets 3 Heating Plant: Gas ☒ Oil _____
Electric/Hot Air HOT A.R. Hot Water GAS If Garage, number of cars 2

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

10. Estimated cost 15,000.00 Fee \$500

CU# 799

ZONING BOARD
PAYED

date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors Frank Lisi & Louis Krychear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(845) 563-4618
(845) 563-4695 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

(Signature of Applicant)

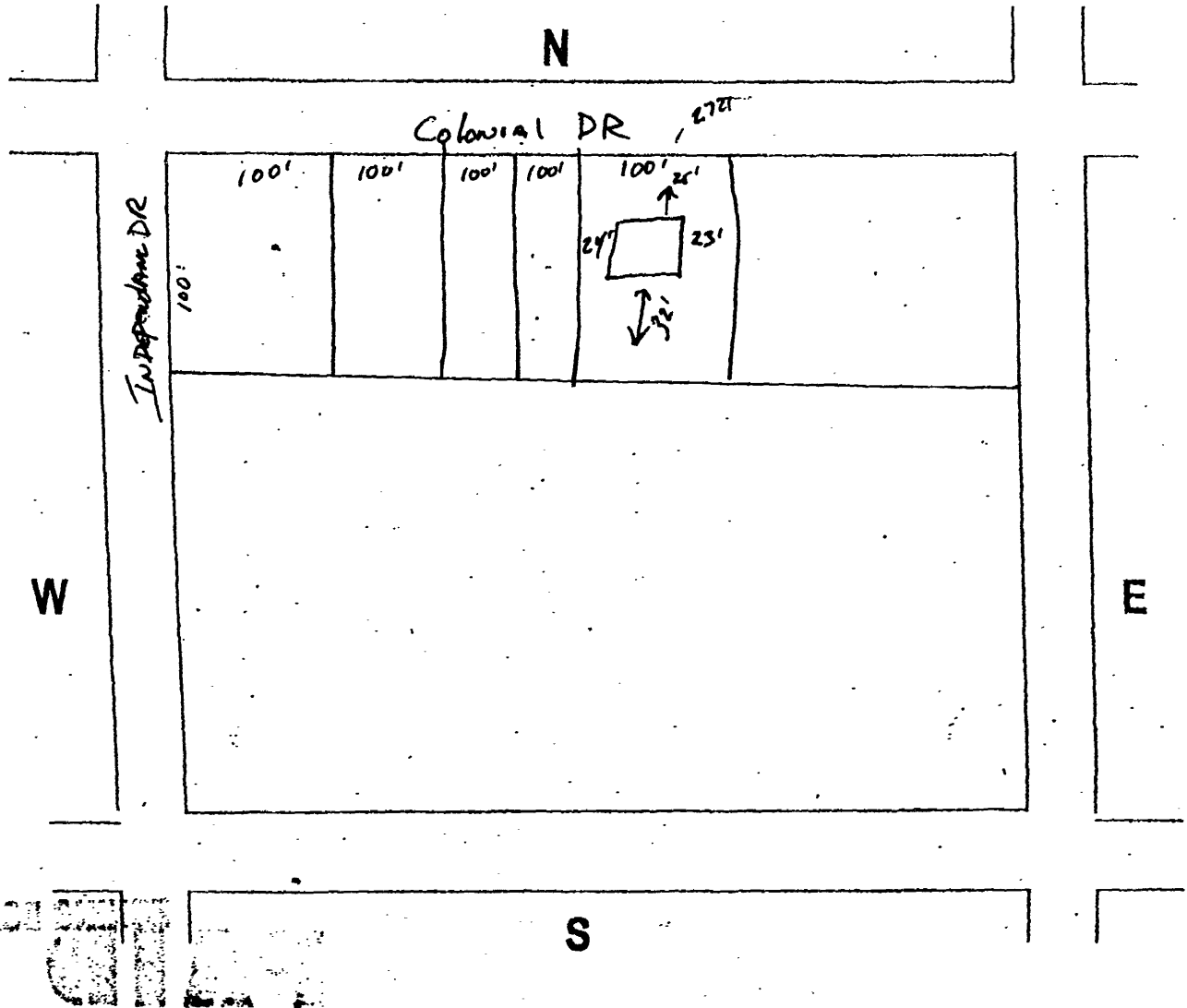
(Address of Applicant)

(Owner's Signature)

2921 Colonial DR.

PLOT PLAN

NOTE: Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.













Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

OFFICE OF THE ZONING BOARD OF APPEALS

September 22, 2004

Joseph Antonacci
2721 Colonial Drive
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-41

Dear Mr. Antonacci:

Please find enclosed two copies of the Formal Decision for your case before the Zoning Board of Appeals. Please keep these copies in your records for future reference if needed.

If you are in need of any further assistance or have any questions in this matter, please feel free to contact me at the above number.

Very truly yours,

Myra Mason, Secretary to the
NEW WINDSOR ZONING BOARD

MLM:mlm

cc: Michael Babcock, Building Inspector

NEW WINDSOR ZONING BOARD OF APPEALS

SBL: 77-6-4

In the Matter of the Application of

JOSEPH ANTONACCI

MEMORANDUM OF
DECISION GRANTING

AREA

CASE #04-41

WHEREAS, Joseph Antonacci, owner(s) of 2721 Colonial Drive, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for 5 ft. side yard setback and 5 ft. rear yard setback (48-21-G-1) for proposed pool at 2721 Colonial Drive in an R-3 Zone (77-6-4);

WHEREAS, a public hearing was held on July 12, 2004 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared on behalf of this Application; and

WHEREAS, there was one spectator appearing at the public hearing; and

WHEREAS, one person spoke in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.
2. The Evidence presented by the Applicant showed that:
 - (a) The property is a residential property consisting of a single family home located in a neighborhood of residential properties.
 - (b) The applicant seeks to install an in-ground swimming pool in the rear of his premises. The swimming pool, if permitted, will not interfere with any easements including, but not limited to, water, sewer and utility easements.

- (c) The applicant seeks permission to locate the pool in the portion of his property he has designated so that it would be sufficient distance from the house to satisfy the request of the Building Department for sufficient separation to insure safety.
- (d) In installing the pool, if permitted, the applicant will comply with all legal requirements.
- (e) The application was opposed by one area resident who indicated various concerns including, but not limited to, the likelihood of backwash and runoff of chlorinated water effecting the objectant's soil.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested is/are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is/are self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) is/are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance(s).

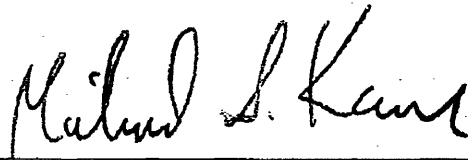
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a Request for 5 ft. side yard setback and 5 ft. rear yard setback (48-21-G-1) for proposed pool at 2721 Colonial Drive in an R-3 Zone (77-6-4) as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: July 12, 2004

A handwritten signature in black ink, appearing to read "Michael S. Kane", is written over a horizontal line.

Chairman

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
OFFICE
845-563-4615**

MEMORANDUM

TO: LARRY REIS, COMPTROLLER
FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD
DATE: 08-09-04
SUBJECT: ESCROW REFUND

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 164.00 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #04-41

NAME & ADDRESS:

**Joseph Antonacci
2721 Colonial Drive
New Windsor, NY 12553**

THANK YOU,

MYRA

L.R.08-09-04



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
RECORD OF CHARGES & PAYMENTS**



FILE #04-41 TYPE: AREA

APPLICANT Name & Address:

**Joseph Antonacci
2721 Colonial Drive
New Windsor, NY 12553**

TELEPHONE: 567-3354

RESIDENTIAL:	\$ 50.00	CHECK # <u>0814</u>
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW: RESIDENTIAL \$300.00 CHECK # 0815

~~~~~

| <u>DISBURSEMENTS:</u>        |                | MINUTES<br><u>\$5.50 / PAGE</u> | ATTORNEY<br><u>FEE</u> |
|------------------------------|----------------|---------------------------------|------------------------|
| PRELIMINARY:                 | <u>3</u> PAGES | \$ <u>16.50</u>                 | \$ <u>35.00</u>        |
| 2 <sup>ND</sup> PRELIMINARY: | ____ PAGES     | \$ _____                        | \$ _____               |
| PUBLIC HEARING:              | <u>9</u> PAGES | \$ <u>49.50</u>                 | \$ <u>35.00</u>        |
| PUBLIC HEARING:              | ____ PAGES     | \$ _____                        | \$ _____               |

TOTAL:      \$ 66.00      \$ 70.00

~~~~~

ESCROW POSTED: \$ 300.00

LESS: DISBURSEMENTS: \$ 136.00

AMOUNT DUE: \$ _____

REFUND DUE: \$ 164.00

Cc:

L.R. 08-09-04

JOSEPH ANTONACCI (04-41)

Mr. Joseph Antonacci appeared before the board for this proposal.

MR. KANE: Request for 5 ft. side yard setback and 5 ft. rear yard setback for proposed pool at 2721 Colonial Drive in an R-3 zone. Tell us what you want to do.

MR. ANTONACCI: Proposed for a 16 x 30 oval shaped kidney shaped pool in the right back portion of the yard, right portion of the yard. The area was 33 feet short.

MR. KANE: Basically cutting down any trees or substantial vegetation in the building of the pool?

MR. ANTONACCI: No, sir.

MR. KANE: Create any water hazards or runoffs?

MR. ANTONACCI: No, sir.

MR. KANE: Town water and sewer?

MR. ANTONACCI: Yes, sir.

MR. KANE: I understand the five foot rear yard because you only have 9 feet to your house that would put the pool too close to the house, as far as moving the pool over from the side point that would place the pool directly coming out your back door?

MR. ANTONACCI: Correct.

MR. KANE: Would you see that as a safety issue?

MR. ANTONACCI: Yes, I would.

MR. MINUTA: Will you be placing a deck or patio around the pool?

MR. ANTONACCI: Patio is going to go around the pool.

MR. KANE: Back yard's going to be, well, you understand that if this is passed, you have to meet all the specifications of the building department in the building of the pool?

MR. ANTONACCI: Understood.

MR. KANE: For the record, your back yard looks like it's already fenced in?

MR. ANTONACCI: It's fenced in already except for the both side pieces, that's going to get put back after we let the trucks in.

MR. KANE: Self-closing, self-latching?

MR. ANTONACCI: Whatever the Town requires, those special locks, pool locks I think they call them.

MR. KANE: Who's installing the pool?

MR. ANTONACCI: George.

MR. KANE: Does a good job. At this point, I will open it to the public, ask if there's anybody here for the public portion of it? Sir, please state your name and address.

MR. DAVIS: My name is Edward Davis, 2618 Liberty Ridge.

MR. KANE: If you can just sign there so we have it for the stenographer. Okay, questions, sir or statement, whatever you have?

MR. DAVIS: Well, since I have a tough time communicating, I wrote something I'd like to read this to the board. While making your decision, I ask the board to consider two of my concerns. First, I am concerned about starting a trend. I believe that this approval would be an invitation to my other neighbors to make similar requests that I would disapprove of given our proximity. Second, I am concerned about backwash and runoff of chlorinated water affecting my neighbor's soil and mine. The affect is indeterminant at this time but is definite. Given a five foot setback their pool water is less likely to be absorbed and will likely flow down hill into other yards including ours. And I have brought some photographs, Mr. Antonacci is uphill from me and his property is 150 feet from my property.

MR. KANE: And his property is the cement with the fence there and which is your house right here directly behind him?

MR. DAVIS: No, I'm down a hill in this photograph, I'm standing in my yard so there's 1 1/2 houses between myself and Mr. Antonacci.

MR. KANE: Approximately 150 feet?

MR. DAVIS: Approximately to the edge of my property.

MR. MINUTA: Mr. Antonacci, in this photograph that you have provided, is that a retaining wall?

MR. KANE: Let's just finish up, do you have anything else that you wanted to say or any questions you wanted to ask, sir?

MR. DAVIS: No.

MR. KANE: Are you for or against this application?

MR. DAVIS: I'm opposed to this application.

MR. KANE: Okay, thank you. Anything else to say? I don't want to rush you.

MR. DAVIS: No.

MR. KANE: Thank you very much.

MR. KANE: Anybody else in the audience for this application? Seeing as there's not, we'll close the public portion of the hearing and ask Myra how many mailings we had.

MS. MASON: On June 22nd, I mailed out 63 envelopes and had no responses.

MR. KANE: So we had 63 mailings?

MS. MASON: Yes.

MR. KANE: Steve, Mike, do you have any other questions?

MR. MINUTA: Just one question. This is a retaining wall and will you be filling the area to the top of the retaining wall?

MR. ANTONACCI: No, there's going to be, the pool is approximately going to be 7 foot off here and there's going to be three foot patio around the pool and the rest is going to be dirt with shrubberies, arborvitae trees being put in, any spillage of water is going to be filtered through dirt, what you see here is probably a little bit less than what's being dug down in the trench of dirt so probably about three or four feet of dirt is going to be put with the arborvitae trees so any water going through to the spilloff will get filtered through the dirt and then go into the seep holes.

MR. MINUTA: My question is pertaining to the height will you be filling to the height of the retaining wall?

MR. ANTONACCI: The dirt, no, stay down about six inches.

MR. MINUTA: So any spill should drop--

MR. ANTONACCI: Hit the wall and drop down.

MR. MINUTA: Retained within your property?

MR. ANTONACCI: Absolutely, yes.

MR. REIS: Sir in the audience, I think that the applicant has answered your concerns about the potential spillage.

MR. DAVIS: I don't think that what he says is going to happen because five feet would put, would allow water to splash over the wall and into the neighboring properties and flow downhill, eventually the rain water, the runoff will carry the chlorinated water downhill to my property. I'm only 150 feet away from the side of his property. I do have some other photographs while it was raining if the board would like to see?

MR. KANE: I have no problem with taking that information for the record and answering, to answer your question, I happen to be in the business, you're not going to see any chlorinated water from splash or running down to your house, it's going to burn off as long as his chlorine is in the proper range which is 1.3 parts per million. Doing it for 20 years.

MR. DAVIS: My other concern is that if the neighbor directly next door to me comes with a similar request I

would think that the board would want--

MR. KANE: Each individual request as you state is taken on its own merits, there are no precedents set by any decision that we make here. They all have to come in and plead their case individually. So we don't set a precedent for your neighbor, just because he got it, they may not depending on their situation and I'm not saying he's going to get it or not get it, I don't know how everybody else is going to vote.

MR. DAVIS: Other people on my block have opted for smaller pools to respect their neighbors and given our proximity we're all very small lots and we're trying to respect each other and be considerate of each others' own property and that's my only concern that the board consider that.

MR. BABCOCK: Mr. Chairman, I don't know whether he was aware of what the question that Mr. Minuta asked is that he asked that the material, his ground level is going to be the same height of his retaining wall and he's made a statement that he's going to keep it down approximately six inches.

MR. DAVIS: Last weekend I watched Mr. Antonacci dig up the wall around his pool and backfill with stone so that when the water flows over the pool, it will wash right through the drain holes on the side of the wall, see all down the side of this wall here, there's drain holes six inch diameter pipes and the water even if you do that it's still gonna wash through the stone and out through the drain pipes.

MR. MINUTA: With respect to the retaining wall that's typically done to prevent any expansive soils from--

MR. DAVIS: I can see that but I don't believe that there's going to be ample soil for, you know, to absorb the chlorine as planned.

MR. KANE: Okay and that part you have already stated, we have that in the record. Okay?

MR. DAVIS: Thank you.

MR. KANE: Thank you. We'll add these photos to the record. Any other questions, gentlemen?

MR. REIS: What size pool?

MR. KANE: 16 x 30, it's kidney shaped.

MR. ANTONACCI: So it will be as you can see the furthest point probably is going to be 7 feet and it goes back in bringing it around back towards the house it gets further and further away from the wall.

MR. KANE: Any other questions for the applicant?

MR. REIS: I have a question, I'm sorry. Why is it not possible to move this over further?

MR. ANTONACCI: If we move it over further 30 feet is going to come very close to the stairs coming out of the house.

MR. REIS: Is this close to scale?

MR. ANTONACCI: Not at all, 30 feet ends up somewhere over here, if I push it back.

MR. REIS: Where is the existing retaining wall?

MR. ANTONACCI: Right here and if I, this, again is probably going to be about 7 feet off the wall, I'm not asking for a five foot variance to start at five foot mark so I can have a patio around it, the variance was asked for because of the width between the house and the retaining wall and I only had 33 feet here so I

needed 3 feet so I can get this pool in there so it's, the furthest point is going to be at 7 feet at one point it curves around, I just drew that in there, I can show you a sketch of the pool itself to scale.

MR. REIS: Do you have that with you?

MR. ANTONACCI: Yeah, sure. This will bump out 7 feet from the wall and this is showing 30 foot, there's a 30 foot envelope that it's in, let's say this is the retaining wall and it's 7 feet this way and closest point to the 7 foot and it starts to curve back in.

MR. REIS: Thank you.

MR. MINUTA: Mr. Antonacci, see that scaled drawing?

MR. ANTONACCI: Sure, absolutely.

MR. MINUTA: As a rough estimate of the location of the pool using the scale of the drawing that's currently there, that's approximately what we're looking at, that's an approximation.

MR. REIS: Nice work, Mr. Architect.

MR. ANTONACCI: Better than mine, that was freehand.

MR. KANE: Any other questions?

MR. REIS: Accept a motion?

MR. KANE: Yes.

MR. REIS: I make a motion that we grant Mr. Joseph Antonacci his requested variance for five foot side yard setback and five foot rear yard setback for a proposed pool at 2721 Colonial Drive.

MR. MINUTA: Second it.

July 12, 2004

58

ROLL CALL

MR. MINUTA	AYE
MS. LOCEY	AYE
MR. REIS	AYE
MR. RIVERA	AYE
MR. KANE	AYE



July 12, 2004

ZBA # 04-41
P.B.#

APPROVED: M) _____ S) _____ VOTE: A _____ N _____
 RIVERA _____
 MCDONALD _____ CARRIED: Y _____ N _____
 REIS _____
 MINUTA _____
 KANE _____

SCHEDULE PUBLIC HEARING: M)____ S)____ VOTE: A____ N____
RIVERA _____
MCDONALD _____
REIS _____
MINUTA _____
KANE _____
CARRIED: Y_____ N_____

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES ✓

VARIANCE APPROVED: M) KS S) MN VOTE: A 5 N 0.

RIVERA	A
MC DONALD Locoy	A
REIS	A
MINUTA	A
KANE	A

CARRIED: Y[✓] N

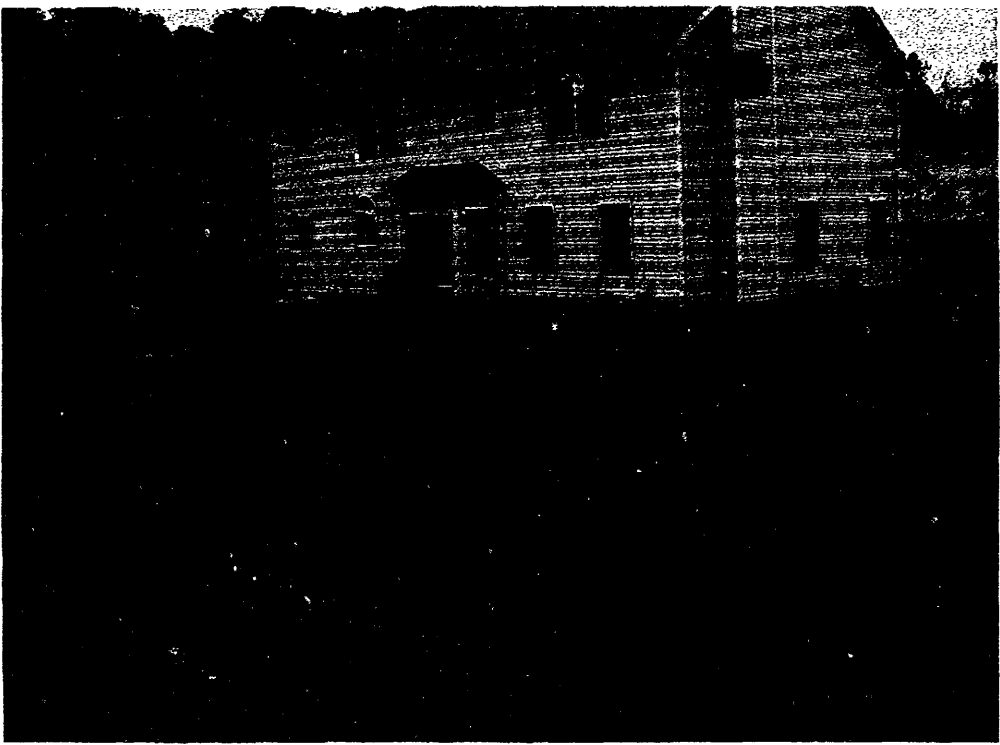
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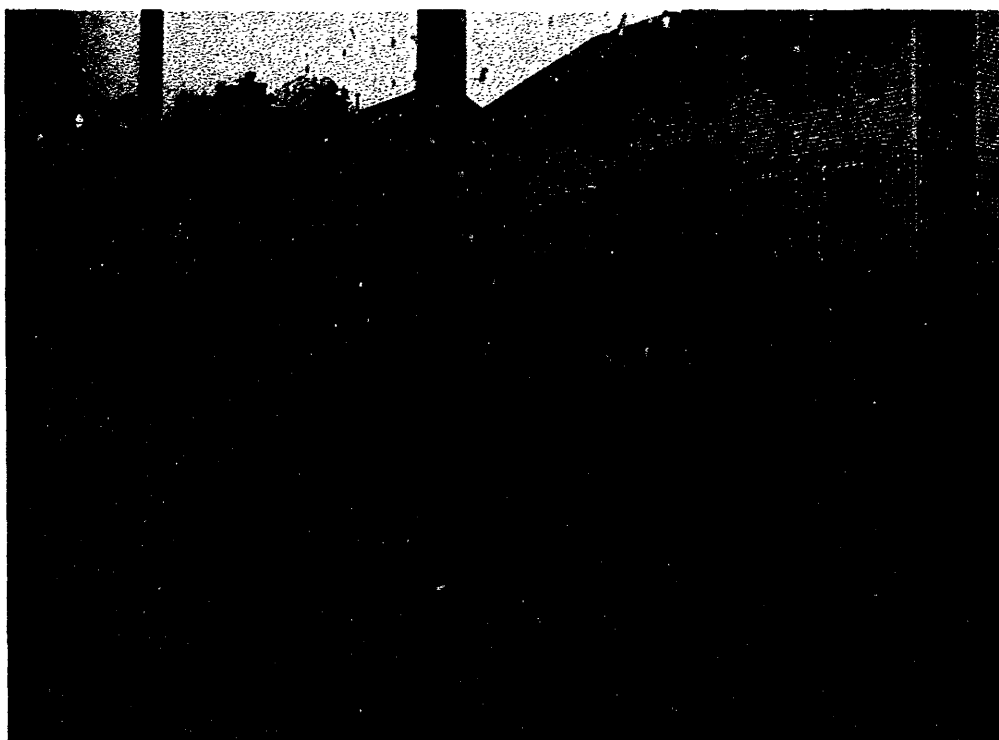
TOWN OF NEW WINDSOR ZONING BOARD
PUBLIC HEARING FOR:

DATE: Joseph Antonacci
July 12, 2004

SIGN-IN SHEET

	NAME	ADDRESS
1.	<i>Edward F. Davis</i>	<i>2618 Liberty Ridge - opposed</i>
2.		
3.		
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**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR
COUNTY OF ORANGE: STATE OF NEW YORK**

-----X

In the Matter of the Application for Variance of

JOSEPH ANTONACCI

AFFIDAVIT OF
SERVICE
BY MAIL

#04-41

----- X

STATE OF NEW YORK)

) SS:

COUNTY OF ORANGE)

MYRA L. MASON, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 67 Bethlehem Road, New Windsor, NY 12553.

That on the 22ND day of JUNE, 2004, I compared the 63 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra L. Mason
Myra L. Mason, Secretary

22nd day of June, 2004

J. J. Mead (Gallagher)
Notary Public

JENNIFER MEAD
Notary Public, State Of New York
No. 01ME6050024
Qualified In Orange County
Commission Expires 10/30/ 2006

PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

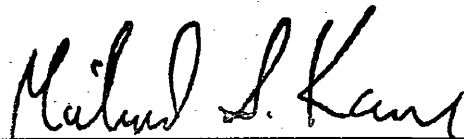
Appeal No. 04-41

Request of JOSEPH ANTONACCI

for a VARIANCE of the Zoning Local Law to Permit:

Request for 5 ft. side yard setback and 5 ft. rear yard setback (48-21-G-1) for proposed pool at 2721 Colonial Drive in an R-3 Zone (77-6-4)

**PUBLIC HEARING will take place on JULY 12, 2004
at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York
beginning at 7:30 P.M.**

A handwritten signature in black ink, appearing to read "Michael S. Kane", is written over a horizontal line.

Michael Kane, Chairman

77-6-8
Michael & Michelle Thomas
2713 Colonial Drive
New Windsor, NY 12553

77-6-21
Francisco Soto, Jr.
Cynthia Diaz
2614 Liberty Ridge
New Windsor, NY 12553

77-6-24
Irina Simknovich
2620 Liberty Ridge
New Windsor, NY 12553

77-6-27
Charles Grady
Emily (UX) Smith
2626 Liberty Ridge
New Windsor, NY 12553

77-7-2
Ammatequi & Ana Rosario
2623 Liberty Ridge
New Windsor, NY 12553

77-7-5
Wilson Ventura
Ana Arino Ventura
2617 Liberty Ridge
New Windsor, NY 12553

77-7-13
Edward & Karen D'Esposito
2508 Constitution Way
New Windsor, NY 12553

77-7-16
Keith Holloway
2514 Constitution Way
New Windsor, NY 12553

77-8-1
Fausto & Awilda Fienco
2519 Constitution Way
New Windsor, NY 12553

77-8-4
Jeffrey & Lore Hannes
2513 Constitution Way
New Windsor, NY 12553

77-6-9
James Porter
Leo Carmelle Mathelier
2711 Colonial Drive
New Windsor, NY 12553

77-6-22
Jeri & Cheryl Kocik
2616 Liberty Ridge
New Windsor, NY 12553

77-6-25
Joseph & Victoria Pecoraro
2622 Liberty Ridge
New Windsor, NY 12553

77-6-28
Arjun Singh
2628 Liberty Ridge
New Windsor, NY 12553

77-7-3
Nancy Weber
2621 Liberty Ridge
New Windsor, NY 12553

77-7-6
Kenneth & Annette McTigue
2615 Liberty Ridge
New Windsor, NY 12553

77-7-14
Alicio & Michele Valle
2510 Constitution Way
New Windsor, NY 12553

77-7-17
Christine & Kevin Brelesky
2516 Constitution Way
New Windsor, NY 12553

77-8-2
Ragotham & Faustin Venkatesh
2517 Constitution Way
New Windsor, NY 12553

77-8-5
Adrian & Jeanne Lakowski
2511 Constitution Way
New Windsor, NY 12553

77-6-20
David & Ellen Olsen
2612 Liberty Ridge
New Windsor, NY 12553

77-6-23
Edward & Regina Davis
2618 Liberty Ridge
New Windsor, NY 12553

77-6-26
Mark Monte
Jocelyn Pacatang
2624 Liberty Ridge
New Windsor, NY 12553

77-7-1
Robert & Alma Aponte
2625 Liberty Ridge
New Windsor, NY 12553

77-7-4
Ryan & Lisa Doyle
2619 Liberty Ridge
New Windsor, NY 12553

77-7-7
John & Marilyn Kresevic
2613 Liberty Ridge
New Windsor, NY 12553

77-7-15
Earl & Latoya Rattray
2512 Constitution Way
New Windsor, NY 12553

77-7-18
Jeffrey & Amy Dunko
2518 Constitution Way
New Windsor, NY 12553

77-8-3
Anthony & Paula Natale
2515 Constitution Way
New Windsor, NY 12553

77-11-7
Jose Rodriguez
Shantella Bailey
2423 Settlers Ridge
New Windsor, NY 12553

Sections 64 & 77 (various)
Mt. Airy Estates, Inc.
c/o Sama Enterprises
15 Engle Street - Suite 100
Englewood, NJ 07631

64-1-28
Richard G Ostner, et.al.
82 Bethlehem Road
New Windsor, NY 12553



64-1-36
Michael & Lisa Lawrence
2633 Liberty Ridge
New Windsor, NY 12553

64-2-37
Kenneth & Melinda Sharp
2631 Liberty Ridge
New Windsor, NY 12553

77-1-17
Richard & Josephine Romano
2812 Cherry Tree Way
New Windsor, NY 12553

77-1-20
Eduardo & Elizabeth Guerrero
2818 Cherry Tree Way
New Windsor, NY 12553

77-1-22
James Wallace
Stacey Miller
2822 Cherry Tree Way
New Windsor, NY 12553

77-1-24
JeanPierre Nerva
Lude Belony
2826 Cherry Tree Way
New Windsor, NY 12553

77-2-2
Richard & Laura Smacchia
2823 Cherry Tree Way
New Windsor, NY 12553

77-2-3
Donald & Paulette Easterlin
2821 Cherry Tree Way
New Windsor, NY 12553

77-2-4
Benedetto & Kelly Allegra
2819 Cherry Tree Way
New Windsor, NY 12553

77-2-5
John & Eva Lee
2817 Cherry Tree Way
New Windsor, NY 12553

77-2-7
Carmelo & Lydia Taverna
2813 Cherry Tree Way
New Windsor, NY 12553

77-2-8
Daniel & Lydia Bonilla
2811 Cherry Tree Way
New Windsor, NY 12553

77-2-9
Antonio & Maria Tommasi
2809 Cherry Tree Way
New Windsor, NY 12553

77-2-19
New Windsor Development Co., LLC
16 Microlab Road - Suite A
Livingston, NJ 07039

77-2-20
John & Nicole White
2714 Colonial Drive
New Windsor, NY 12553

77-2-21
James Hoskin
Kathryn Brown
2716 Colonial Drive
New Windsor, NY 12553

77-2-22
Brian & Carole McCue
2718 Colonial Drive
New Windsor, NY 12553

77-2-23
Emanuel & Anelyn Suazo
2720 Colonial Drive
New Windsor, NY 12553

77-2-24
Craig & Valerie Barnes
2722 Colonial Drive
New Windsor, NY 12553

77-2-25
Dion & Joan Edwards
2724 Colonial Drive
New Windsor, NY 12553

77-2-26
Robert & Zoraida Marquez
2726 Colonial Drive
New Windsor, NY 12553

77-2-27
Maria Pippi
David Layne
2728 Colonial Drive
New Windsor, NY 12553

77-6-1
Patrick McNamara
Cecilia Miro
2727 Colonial Drive
New Windsor, NY 12553

77-6-2
Rudolph Trocard
2725 Colonial Drive
New Windsor, NY 12553

77-6-3
Elliot Gaztambide
Jennifer Rivera Gaztambide
2723 Colonial Drive
New Windsor, NY 12553

77-6-5
Barry & Joanne Washington
2719 Colonial Drive
New Windsor, NY 12553

77-6-6
Brian & Dianna McLean
2717 Colonial Drive
New Windsor, NY 12553

77-6-7
Harvey Mathis
Lydia Alvarez
2715 Colonial Drive
New Windsor, NY 12553

77-11-8

Joseph & Margaret Englese
2425 Settlers Ridge
New Windsor, NY 12553

77-11-9

Nanjappa Vasudeva
2427 Settlers Ridge
New Windsor, NY 12553

77-11-10

Angela Romas
Sonia Guzman
2429 Settlers Ridge
New Windsor, NY 12553



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

ZONING BOARD OF APPEALS

June 22, 2004

Joseph Antonacci
2721 Colonial Drive
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-41

Dear Mr. Antonacci:

This is just to let you know your Notices for Public Hearing were mailed out and the notice was also sent to The Sentinel Newspaper for publication. **PLEASE NOTE: The Sentinel will bill you directly for this ad. This is not included in the escrow you posted upon application.**

Your Public Hearing before the Zoning Board of Appeals for your requested variance at:

2721 Colonial Drive
New Windsor, NY

is scheduled for the July 12, 2004 agenda.

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have any questions or concerns in this matter, please feel free to contact me.

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm

JOSEPH ANTONACCI (04-41)

Mr. Joseph Antonacci appeared before the board for this proposal.

MR. KANE: Request for 5 ft. side yard setback and 5 ft. rear yard setback for proposed pool at 2721 Colonial Drive in an R-3 zone.

MR. ANTONACCI: That's what we're asking for.

MR. KANE: Seems you're pushing it back towards the corner?

MR. ANTONACCI: Yes, sir.

MR. KANE: Above-ground or in-ground?

MR. ANTONACCI: In-ground.

MR. KANE: And from the looks of your property again for the record this is the only place that you could actually looking at this, it's an average size pool so it's not an over-sized pool and basically any pool that's put in this particular back yard you're going to need some kind of variance for anyway.

MR. ANTONACCI: Correct.

MR. KANE: Pool itself is not bigger than other pools in your neighborhood?

MR. ANTONACCI: No, actually, it's smaller than my neighbor's.

MR. KANE: Yeah, it's not an inordinately big one.

MR. ANTONACCI: Had I known that the house was going to take up that setback area, I would have built maybe a smaller house but the salesperson wanted to sell me a

bigger house so--

MR. MC DONALD: We're looking for the 5 yard?

MR. KANE: Yeah, 5 from the rear, 5 from the side, it's going to go right back in the corner, there will be no obvious answer right here in the pictures but no cutting down of trees or any vegetation?

MR. ANTONACCI: Nothing there yet.

MR. KANE: Creating any water hazards or runoffs?

MR. ANTONACCI: No.

MR. KANE: Any easements through your back yard?

MR. ANTONACCI: Just what's in the deed for the utility companies, not the back yard, I guess it's the front.

MR. KANE: Nothing within the pool area.

MR. ANTONACCI: No.

MR. MC DONALD: Five foot from this property line, in the past up in your area we have run into problems when it comes to the public hearing this guy that owns this lot wants to know why you're putting it five foot when you've got such a big yard. We've had, you know, over there problems are going to come up.

MR. ANTONACCI: If I go over, this is not to scale but if I go over, I would be right in front of my front door with the pool.

MR. MC DONALD: Cause that will come up.

MR. ANTONACCI: Actually, that guy here that lives next door to me he already bought his float to come in the pool.

MR. KANE: Who's building your pool?

MR. ANTONACCI: George.

MR. KANE: You understand if this if the variance is granted, you'll still be required to meet all the regulations from the building department?

MR. ANTONACCI: Absolutely, that's why I hired George.

MR. KANE: Any other questions, guys?

MR. MC DONALD: Accept a motion?

MR. KANE: Yes, I will.

MR. MC DONALD: Make a motion that we set up Mr. Antonacci for a public hearing for his request for the five foot side yard setback and five foot rear yard setback at 2721 Colonial Drive.

ROLL CALL

MR. RIVERA	AYE
MR. REIS	AYE
MR. MC DONALD	AYE
MR. KANE	AYE



RESULTS OF Z.B.A. MEETING OF:

PROJECT: _____ **ZBA #** _____
P.B.# _____

USE VARIANCE: NEED: EAF PROXY

LEAD AGENCY: M) _____ S) _____ VOTE: A _____ N _____
 RIVERA _____
 MCDONALD _____ CARRIED: Y _____ N _____
 REIS _____
 MINUTA _____
 KANE _____

NEGATIVE DEC: M) _____ S) _____ VOTE: A _____ N _____
 RIVERA _____
 MCDONALD _____ CARRIED: Y _____ N _____
 REIS _____
 MINUTA _____
 KANE _____

PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____
 RIVERA _____
 MCDONALD _____ CARRIED: Y _____ N _____
 REIS _____
 MINUTA _____
 KANE _____

APPROVED: M) _____ S) _____ VOTE: A _____ N _____
 RIVERA _____
 MCDONALD _____ CARRIED: Y _____ N _____
 REIS _____
 MINUTA _____
 KANE _____

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING:

RIVERA	<u>A</u>	M) <u>MC</u> S) <u>RS</u>	VOTE: A <u> </u> N <u> </u>
MCDONALD	<u>A</u>		
REIS	<u>A</u>		
MR. TEA	<u> </u>	CARRIED: Y <u> </u> N <u> </u>	
KANE	<u>A</u>		

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES

VARIANCE APPROVED: M) S) **VOTE:** A N .

RIVERA
MC DONALD
REIS
MINUTA
KANE

CARRIED: Y_____N_____.

[illegible]

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

RECEIPT OF ESCROW RECEIVED:

DATE RECEIVED: 06-02-2004

FOR: ESCROW 04-41

FROM: JOSEPH ANTONACCI

2721 COLONIAL DRIVE


NEW WINDSOR, NY 12553

CHECK NUMBER: 0815

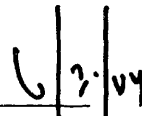
TELEPHONE: 567-3354

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:



NAME



DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#545-2004

06/03/2004

Antonacci, Joseph M. *ZBA #04-41*

Received \$ 50.00 for Zoning Board Fees, on 06/03/2004. Thank you for
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

ZONING BOARD OF APPEALS

June 2, 2004

Joseph Antonacci
2721 Colonial Drive
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-41

Dear Mr. Antonacci:

This letter is to inform you that you have been placed on the June 14th, 2004 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

2721 Colonial Drive
New Windsor, NY

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have a problem with this time and/or date, please contact me at the above number and we will reschedule your appearance. If you have any further questions, please feel free to contact me.

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm



TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS



APPLICATION FOR VARIANCE

MAY 14 2004
Date

Application Type: Use Variance ☐ Area Variance ☐
Sign Variance ☐ Interpretation ☐

I. Owner Information: Phone Number: (845) 567-3354
JOSEPH M IODIL ANTONACCI Fax Number: ()
(Name)
2721 Colonial DR New Windsor, NY 12553
(Address)

II. Applicant: SAME Phone Number: ()
(Name) Fax Number: ()
(Address)

III. Forwarding Address, if any, for return of escrow: Phone Number: ()
SAME Fax Number: ()
(Name)
(Address)

IV. Contractor/Engineer/Architect/Surveyor/: Phone Number (845) 569-4622
George Fotiadis INC Fax Number: (845) 569-0946
(Name)
73 Cedar Ave New Windsor, NY 12553
(Address)

V. Property Information:
Zone: R-3 Residential Property Address in Question: _____
Lot Size: 100x100 Tax Map Number: Section 77 Block 6 Lot 4
a. What other zones lie within 500 feet? Residential R-3
b. Is pending sale or lease subject to ZBA approval of this Application? NO
c. When was property purchased by present owner? 12/03
d. Has property been subdivided previously? NO If so, When: _____
e. Has an Order to Remedy Violation been issued against the property by the
Building/Zoning/Fire Inspector? NO
f. Is there any outside storage at the property now or is any proposed? NO

****PLEASE NOTE:****

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

04-41

COMPLETE THIS PAGE ☐

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

VIII. AREA VARIANCE: (This information will be on your Building Department Denial form you receive)

Area Variance requested from New Windsor Zoning Local Law,

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area			
Min. Lot Width			
Reqd. Front Yd.			
Reqd. Side Yd.	10'	5'	5'
Reqd. Rear Yd.	10'	5'	5'
Reqd. St Front*			
Max. Bldg. Hgt.			
Min. Floor Area*			
Dev. Coverage*			
Floor Area Ration**			
Parking Area			

*Residential Districts Only

**Non-Residential Districts Only

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

04-41

COMPLETE THIS PAGE ☐

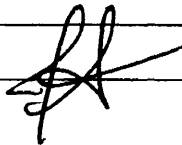
**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

There is NO Health, Safety welfare ISSUES.
NO Undesirable change, NO detriment to nearby Properties.
We can achieve this by installing A Small Pool. But would like
to increase the Size.
NO Adversie effect or Impact on the Physical or environmental Conditions.
AS First Time buys we were told that we can install A Pool
BUT need variance and that we did NOT self-created this
difficulty.
Thank you for your Consideration.



PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

COMPLETE THIS PAGE ☐

XII. ADDITIONAL COMMENTS:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
-
-

XIII. ATTACHMENTS REQUIRED:

- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☐ Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☐ Three checks: (each payable to the TOWN OF NEW WINDSOR)
- ☐ One in the amount of \$ 300.00 or 500.00 , (escrow)
- ☐ One in the amount of \$ 50.00 or 150.00 , (application fee)
- ☐ One in the amount of \$ 25.00 , (Public Hearing List Deposit)
- ☐ Photographs of existing premises from several angles. (IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER – PLEASE SUBMIT THREE(3) SETS OF THE PHOTOS.)

XIV. AFFIDAVIT.

STATE OF NEW YORK)

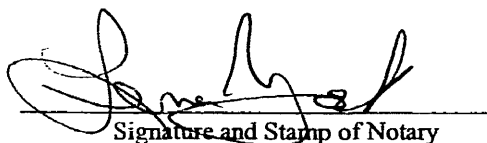
) SS.:

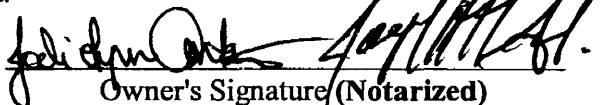
COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

14 day of May 2004,


Signature and Stamp of Notary


Owner's Signature (Notarized)

Joseph M + Jodi L Antonucci
Owner's Name (Please Print)

Applicant's Signature (If not Owner)

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

LENA YORK
Notary Public, State of New York
Residing in County of Orange
No. 4636859
Commission Expires May 31, 2006

COMPLETE THIS PAGE ☐

04-41



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NY 12553
(845) 563-4615 (MYRA MASON)

6/14/Agenda



ZONING BOARD PROCEDURES

PLEASE READ PAGE ONE AND TWO OF THIS PACKAGE AND SIGN PAGE TWO IT EXPLAINS THE PROCEDURE TO BE FOLLOWED FOR YOUR APPLICATION.

PLEASE COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION AND RETURN TO MYRA MASON (845-563-4615) AT THE ZONING BOARD OFFICE (LOCATED IN THE PLANNING BOARD & ENGINEERING OFFICE IN TOWN HALL) WITH THREE CHECKS MADE PAYABLE TO "THE TOWN OF NEW WINDSOR" AS FOLLOWS:

RESIDENTIAL: (Three Separate Checks Please)

APPLICATION FEE:	\$ 50.00
*ESCROW:	\$300.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

MULTI-FAMILY: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

COMMERCIAL: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

INTERPRETATION: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

YOU WILL THEN BE SCHEDULED FOR THE NEXT AVAILABLE AGENDA FOR YOUR "PRELIMINARY MEETING".

ESCROW

IS TO COVER OUTSIDE PROFESSIONAL FEES SUCH AS ZBA ATTORNEY FEE, MINUTES OF YOUR PORTION OF THE MEETING, ETC. THE BALANCE WILL BE RETURNED TO YOU UPON CLOSING FILE.

THE APPLICANT WILL BE BILLED DIRECTLY FOR THE PUBLIC HEARING ADVERTISEMENT IN THE "SENTINEL NEWSPAPER"

LIST OF PROPERTY OWNERS
WITHIN 500 FT. RADIUS OF
PROPERTY IN QUESTION:

APPROXIMATE COST FOR
PUBLIC HEARING LIST:

1-10 NAMES	25.00
11-20 NAMES	35.00
21-30 NAMES	45.00
31-40 NAMES	55.00
41-50 NAMES	65.00
51-60 NAMES	75.00
61-70 NAMES	85.00
71-80 NAMES	95.00
81-90 NAMES	105.00
91-100 NAMES	115.00

ANYTHING OVER 100 NAMES
IS \$1.00 EA. ADDITIONAL
NAME

FOLLOWING YOUR PRELIMINARY MEETING, THE ZONING BOARD SECRETARY WILL ORDER YOUR "PUBLIC HEARING LIST" FROM THE ASSESSOR'S OFFICE.

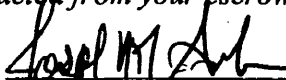
1. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THIS WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE).
2. PREPARE AN ENVELOPE (self-sealing envelopes are much appreciated) FOR EACH LABEL WITH YOUR RETURN ADDRESS AND A REGULAR \$.37 STAMP. BRING THE PREPARED ENVELOPES AND A COPY OF THE LIST TO THE ZONING BOARD SECRETARY FOR MAILING. YOUR PUBLIC HEARING DATE WILL BE SCHEDULED AT THIS TIME.

NOTE:

IF IT IS EASIER FOR YOU, YOU CAN BRING THE ENVELOPES WITH YOU WHEN YOU PICK UP AND PAY FOR YOUR LIST. YOU CAN PUT THE LABELS ON AT THAT TIME AND BRING THEM TO THE ZBA OFFICE FOR COMPLETION.

**** MUST READ AND SIGN ****

I UNDERSTAND THAT I WILL BE BILLED DIRECTLY FOR MY "LEGAL NOTICE" TO BE PUBLISHED IN THE SENTINEL NEWSPAPER FOR MY PUBLIC HEARING.... (this charge is not deducted from your escrow posted).


SIGNATURE

5/14/04
DATE

NOTE:

THE ZBA MEETS ON THE 2ND AND 4TH MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE. (JULY AND AUGUST – ONE MEETING PER MONTH ONLY)